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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,305	03/19/2001	Richard D. Nearhood	31363.003 (formerly 69305)	2243
48276	7590	06/14/2006	EXAMINER CUFF, MICHAEL A	
TIFFANY & BOSCO CAMELBACK ESPLANADE II, THIRD FLOOR 2525 EAST CAMELBACK ROAD PHOENIX, AZ 85016			ART UNIT 3627	PAPER NUMBER

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,305

Applicant(s)

NEARHOOD ET AL.

Examiner

Michael Cuff

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 19-54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has provided a definition in an affidavit, which has made the claims unclear. The IAAO Glossary defines jurisdiction as “the right and power to interpret and apply the law; also, the power to tax and the power to govern.” The examiner accepts this definition.

Claim 19 recites, “the jurisdiction comprises a local property tax assessor, treasurer or collector that is not a local property tax appropriating district”

Claims 29 and 44 recite, “each of the plurality of jurisdiction is a property tax assessor, treasurer or collector that is not a local property tax appropriating district”

Applicant’s claim language is not consistent with the definition. A tax assessor, treasurer or collector cannot be a jurisdiction and visa versa.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-54 are rejected under 35 U.S.C. 102(b) as being anticipated by

<http://www.oklahomacounty.org/assessor/TaxCalculator.htm>, Published 2/20/1999.

<http://www.oklahomacounty.org/assessor/TaxCalculator.htm> shows a tax bill calculator. Portion "A" of the reference shows a database of property tax data (accounts, lots, years, addresses). The jurisdiction data is inherent in the address, which identifies the school district (jurisdiction). See page 2 of portion "B", general information, rates vary across the county depending on which school district the property is located (different tax rules/templates). The website (GUI) receives inputs and generates reports. See page 3 of portion "B", general information, for installment information.

In specific reference to claim 1, the school district identifier is on the same website and the tax assessor, which makes them "associated" and the tax assessor is not a local property tax appropriating district.

Response to Arguments

Applicant refutes examiner's assertion that the example of "Maricopa" contradicts applicant's position. The examiner now understands that the specification is merely vague, not contradictory. In fact checking applicant's specification, there was no distinction in the specification that Maricopa or Mar/AZ was the county and not the town.

Applicant asserts that, "even though tax district rates vary across the tax districts in Oklahoma County, the Oklahoma County Assessor has only one tax calculation

formula that he follows for computing property taxes.” The examiner has two problems with this assertion. One, the claim language is drawn only to a broad “tax rule”, not a formula and, two, if one changes the slope or rate of a line or an equation, it is a different formula.

Applicant has spent much time making a distinction between a jurisdiction and a district. It is important to focus on the claim language, “jurisdiction identifier”. The examiner’s position is that the school district identifier shown in the prior art can meet all limitations recited limiting a “jurisdiction identifier”. In addition, if a specific region is identified, doesn’t the specific region also identify a broader region? For example, if one identifies the State of Arizona, has not the United States of America also been identified. If the town of Maricopa has been identified, has not the County of Maricopa also been identified?

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Cuff whose telephone number is (571) 272-6778. The examiner can normally be reached on 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Michael Cuff
June 7, 2006